REMARKS

This is in full and timely response to the non-final Official Action of September 20, 2005. Reexamination in light of the following remarks is respectfully requested. Claims 1-4, 6, 8-13, 16 and 17 are currently pending in this application, with claims 1, 10, 16 and 17 being independent.

As a preliminary matter, Applicants have amended claims 8-10, 13, and 17 in order to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

I. Rejection under 35 U.S.C. §112, Second Paragraph

Claim 8 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

The rejection is respectfully traversed for at least reasons discussed below. Dependency of claim 8 has been amended by the foregoing amendment. Accordingly, Applicants respectfully request that the rejection of claim 8 be withdrawn.

II. Rejection under 35 U.S.C. §103

A. Claim 1, 3, 4, 6, 8, 9, 12, 13, 16, and 17

Claims 1, 3, 4, 6, 8, 9, 12, 13, 16 and 17 are rejected under 35 U.S.C. §103(a) as being unpatentable over Brown (US 5,794,219) in view of Sarno (US 6,024,641). Applicants respectfully traverse this rejection.

Claim 1 is directed to a lottery system utilizing an electronic mail, comprising: means for uniquely allocating an electronic mail address to each of participants; means for sending a first electronic mail to each of said participants, in which the electronic mail address is affixed as a unique access key to each of said participants; means for recognizing an application for a lottery from each of said participants by receiving a second electronic mail sent back to said electronic mail address; and means for notifying each one of said participants who sent back the second electronic mail to the electronic mail address of the result of said lottery.

Brown arguably discloses a method of conducting an on-line auction with bid pooling. Sarno arguably discloses a method, apparatus and system for lottery gaming.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "means for recognizing an application for a lottery from each of said participants by receiving a second electronic mail sent back to said electronic mail address." Specifically, neither Brown nor Sarno, discloses that a second electronic mail from a participant is sent back to "said electronic mail address" uniquely allocated by "means for uniquely allocating an electronic mail address to each of participants." Thus, the applied art does not anticipate claim 1. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

As to dependent claims 3, 4, 6, 8, 9, 12 and 13, it is respectfully submitted that since they depend on claim 1, they are allowable for at least the reasons that claim 1 is allowable respectively, and they are further allowable by reason of the additional limitations set forth therein.

Claim 16 is directed to a method for conducting a lottery, comprising the steps of: allocating uniquely an electronic mail address to each of participants; sending by a host a first electronic mail in which an electronic mail address is affixed as a unique access key to each one of a plurality of specified participants; recognizing said specified participants for a lottery by receiving a second electronic mail sent back to said electronic mail address from each of said participants; conducting said lottery; and notifying each one of the participants who sent back the second electronic mail of their result of said lottery.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "recognizing said specified participants for a lottery by receiving a second electronic mail sent back to said electronic mail address from each of said participants." Specifically, neither Brown nor Sarno, discloses that a second electronic mail from a participant is sent back to "said electronic mail address" uniquely allocated by "means for uniquely allocating an electronic mail address to each of participants." Thus, the applied art does not anticipate claim 1. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

Claim 17 is directed to a lottery system utilizing an electronic mail, comprising: means for uniquely allocating a URL to each of participants; means for sending an electronic mail in which the URL is affixed as a unique access key to each of the participants; means for recognizing an application from each of the participants when the participant accesses a page of the URL and enters the electronic mail address of the participant; and means for notifying each of said participants of the result of said lottery.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "means for uniquely allocating a URL to each of participants." Specifically, neither Brown nor Sarno, discloses that a URL is not uniquely allocated to each of participants. Thus, the applied art does not anticipate claim 1. Accordingly, withdrawal of this rejection and allowance of the claim is respectfully requested.

B. Claim 2

Claim 2 is rejected under 35 U.S.C. §103(a) as being unpatentable over Brown (US 5,794,219) in view of Sarno (US 6,024,641) and further in view of Petrecca (US 6,409,593). Applicants respectfully traverse this rejection.

Brown arguably discloses a method of conducting an on-line auction with bid pooling. Sarno arguably discloses a method, apparatus and system for lottery gaming. Petrecca arguably discloses a drawing for winners over the internet.

However, it is respectfully submitted that since claim 2 depends on claim 1, and non of the applied art discloses, teaches or suggests the feature of claim 1, that is, "means for recognizing an application for a lottery from each of said participants by receiving a second electronic mail sent back to said electronic mail address," it is allowable for at least the reasons that claim 1 is allowable, and it is further allowable by reason of the additional limitations set forth therein.

C. Claims 10 and 11

Claims 10 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over Brown (US 5,794,219) in view of Sarno (US 6,024,641) and further in view of Kamasaka et al. (US 6,240,455). Applicants respectfully traverse this rejection.

Brown arguably discloses a method of conducting an on-line auction with bid pooling. Sarno arguably discloses a method, apparatus and system for lottery gaming. Petrecca arguably discloses a drawing for winners over the internet.

However, none of the applied art, alone or in combination, discloses, teaches or suggests "means for recognizing an application from each of said participants when said participant accesses the page of said URL and enters the keyword."

Also, it is respectfully submitted that since claim 11 depends on claim 10, it is allowable for at least the reasons that claim 10 is allowable, and it is further allowable by reason of the additional limitations set forth therein.

D. Newly Added Claim

By the foregoing amendment, Applicant has added claim 18 in order to claim various features of the invention. None of the applied art, alone or in combination, discloses, teaches or suggests "the e-mail contains the URL." Further, since claim 18 depends on independent claim 1, it are allowable for at least same reasons that claim 1 is allowable.

III. Conclusion

In view of the above amendment, applicant believes the pending application is in condition for allowance. The undersigned has been given limited recognition by the Director to prosecute as an attorney this application under 37 C.F.R. §10.9(a). Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 18-0013, under Order No. KAK-0001 from which the undersigned is authorized to draw.

Dated: October 19, 2005

Respectfully submitted,

By 

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